



Homeland
Security



9th DISTRICT LOCAL NOTICE TO MARINERS

01/05 MONTHLY EDITION 2004

04 JANUARY 2005

Issued by: Commander (oan)
Ninth Coast Guard District
1240 East Ninth Street
Cleveland, OH 44199-2060
Telephone: (216) 902-6069

Numbers within brackets [/] refer to the LNM where information was first printed. Direct questions about this LNM to the above address. The Weekly Supplemental editions of the Local Notice to Mariners contain only information subsequent to the issue date of the Monthly edition. To ensure having complete information concerning the waterways within the Ninth Coast Guard District, consult this Monthly Edition.

District Nine Internet Address <http://www.uscg.mil/d9/uscgd9.html>

** NIS watchstander, 24 hours a day at (703) 313-5900 ** *Internet Address** <http://www.navcen.uscg.gov/>

Light List Reference: Commandant Publication P16502.7, VOL VII, 2004 Edition / Coast Pilot Reference: 2004 U.S. Coast Pilot 6 Great Lakes 34th Edition

Coast Pilot Corrections Reference download web page: <http://nauticalcharts.noaa.gov/ncd/cpdownload.htm>

The Local Notice to Mariners is available on the Internet at <http://www.navcen.uscg.gov/lnm/d9/default.htm>. You will also have links to other government agencies' web pages including the US Army Corps of Engineers and the National Ocean Service.

REPORT DISCREPANCIES IN AIDS TO NAVIGATION TO THE NEAREST COAST GUARD UNIT

The Ninth District and all Group offices for their areas of responsibility issue a **BROADCAST NOTICE TO MARINERS**.

The following *Broadcast Notice to Mariners* have been incorporated into this week's Local Notice to Mariners:

Group Buffalo, NY	B170-04	through	B171-04	Ninth District	C085-04	through	C087-04
Group Detroit, MI	D250-04	through	D001-05	Group Grand Haven, MI	G132-04	through	G132-04
Group Milwaukee, WI	M319-04	through	M002-05	Group Sault Ste Marie, MI	S231-04	through	S003-05

I. SPECIAL NOTICES

USACE NOTICE TO NAVIGATION INTERESTS

The following Federal Channels have conditional surveys recently completed and can be seen at the USACE Detroit District web site at

<http://www.lre.usace.army.mil/OandM/o&m.html>, the USACE Chicago District website at: <http://www.lrc.usace.army.mil>, and the USACE Buffalo District website at:

<http://www.lrb.usace.army.mil/waterways/survey/survey.html>

Monroe Harbor, MI [52/04]

GREAT LAKES - Great Lake Water Levels

The expected water levels on the Great Lakes for January 05, 2004. Connecting Channels and the St. Lawrence River, given in inches above (+) or below (-) Low Water Datum (LWD). LWD is a plane of reference used on a navigation chart. It is also known as chart Datum.

Great Lakes:

Lake Ontario +12, Lake Erie +18, Lake St. Clair +16, Lake Michigan-Huron +01, Lake Superior +03.

St Lawrence River:

Above Long Sault Dam +39, Above Iroquois Dam +23 Ogdensburg +19, Alexandria Bay +15, Head of River at Cape Vincent +12.

Detroit River

Lake Erie at Pelee Passage +18, Mouth of River at Gibraltar +17, Head of River above Belle Isle +16.

St. Clair River

Mouth of River at St. Clair Flats +16, Algonac +14, St. Clair +08, Blue Water Bridge +05, Head of River at Fort Gratiot +01, Lake Huron Approach Channel +01.

St. Marys River

Mouth of River at Detour +01, West and Middle Neebish +05, Head of Little Rapids +03, Below Locks +03, Above Locks +03, Head of River at Point Iroquois +03.

Available water depth is determined for a location by adding (if +) or subtracting (if -) the amount from the above to the water depth shown on National Oceanic and Atmosphere Administration (NOAA) navigational charts. Caution: Depths so determined are representative of a still water surface elevation, disturbed by neither wind nor other causes. Depth, however, may be reduced or increased as much as several feet for short periods of time due to these disturbances, or when sections of channels develop shoals. Vessel masters should refer to the Local Notice to Mariners for extent of shoaling and scattered bedrock projections in all channels. For further information direct inquiries to: Department of the Army, Detroit District Corps of Engineers P. O. Box 1027, Detroit, MI 48231, (313) 226-6443. Additional information can be found on the U.S. Army Corps of Engineers Information Center website at <http://www.lre.usace.army.mil/greatlakes/hh/greatlakeswaterlevels/waterlevelforecasts/connectingchannelsforecasts/index.cfm?> [01/05]

GREAT LAKES REGION, Bridge Violations, Monetary Increase to Civil Penalty Amounts

The September 24, 2004 edition of the Federal Register (69 FR 57336) published an increase to Civil Penalties that may be assessed by the U.S. Coast Guard for violations of bridge regulations and statutes. On August 9, 2004, President Bush signed the Coast Guard and Maritime Transportation Act of 2004, which in part increased the maximum amount that the Coast Guard can levy for violations from \$1100 to \$5000 until the end of 2004. Thereafter, the Act then raises the amount by \$5000 increments at the start of each calendar year until 2008 when the maximum amount allowed per violation per day will be \$25,000. Thus the penalty is \$5000 for a violation occurring in 2004; \$10,000 for a violation occurring in 2005; \$15,000 for a violation occurring in 2006; \$20,000 for a violation occurring in 2007; and \$25,000 for a violation occurring in 2008 and every year after that. [47/04]

LORAN-C OPERATIONS, - LORSTA DANA - (RATE 8970-M/9960-Z)

This is a proposal to authorize LORSTA DANA, Indiana (RATE 8970-M/9960-Z) unusable time from 1400 GMT to 2200 GMT 20 January 2005. The Alternate time will be from 1400 GMT to 2200 GMT 21 January 2005. Objections will be considered until 1800 GMT 14 January 2005. Users shall address inquiries to the North Eastern U.S. Loran -C Chain Operations Control Officer (LT Luci Bookhammer) at 703-313-5887. Current Loran-C status is available 24 hrs/day through internet address: <http://www.navcen.uscg.gov> [53/04]

LORAN-C OPERATIONS, - LORSTA CAROLINA BEACH - (RATE 7980-Z/9960-Y)

LORSTA CAROLINA BEACH, North Carolina (RATE 7980-Z/9960-Y) will be unusable from 1500 GMT to 1700 GMT 10 January 2005. Users shall address inquiries to the North Eastern U.S. Loran -C Chain Operations Control Officer (LT Luci Bookhammer) at 703-313-5887. Current Loran-C status is available 24 hrs/day through internet address: <http://www.navcen.uscg.gov> [01/05]

LAKE ERIE - Fairport Harbor - Shoaling - Chart 14837

Shoaling has been reported in the vicinity of the Western Approach to the Fairport Harbor Breakwaters. In posit 41-46.248N, 081-16.824W, depth was reported to be 18ft. All mariners are urged to use caution while transiting the area. [43/04]

DETROIT RIVER - Livingstone channel - Chart 14848

IAW provisions of U. S. 33 CFR 162.134 (D) governing the connectiong waters from Lake Huron to Lake Erie and the Canadian St. Clair and Detroit River navigation safety regulations Para 20 (1) and (2), Both upbound and downbound traffic will be permitted in the Livingstone Channel effective 202100Z Dec 04, Subject to the following conditions:

Vessels shall not meet or pass in the Livingstone channel between Livingstone Channel Upper Entrance LT (LLNR 7195) and Bar Point Pier D33 LT (LLNR 6995). Upbound vessels shall report to MCTS Sarnia on VHF Channel 12 one hour prior to entering the normal one-way portion of the Livingstone Channel and again upon exiting that portion of the channel. Downbound vessels shall include in their Normal reports to MCTS Sarnia at the Belle Isle LT check-in point an ETA to entering the Livingstone Channel and shall report again upon exiting. Downbound vessels reporting at the Grassy Island Light check-in point in advance of the Livingstone channel shall have the right-of-way over upbound vessels which have not reported at the Detroit river light (LLNR 6885). However, ice and weather conditions may create a need for upbound vessels to clear the Livingstone channel prior to downbound transits. MCTS Sarnia will prioritize traffic as necessary to resolve conflicts between upbound and downbound traffic. [53/04]

LAKE HURON - Saginaw Bay - ATON Offstation - Chart 14867

All aids to navigation marking the main shipping channel in Saginaw bay leading into the Saginaw river should be considered off station. All mariners are advised to use caution while transiting the area. [53/04]

GREEN BAY, MI - Menominee River - Uncharted Shoal - Chart 14917

The Coast Guard advises all vessels transiting to Marinette/Menominee that an uncharted shoal has developed at the entrance to the Menominee River just south of the red Menominee Entrance Buoy 2 and extending south westerly to the channel's centerline. On December 2, 2004, unofficial soundings measured the depth above the shoal at 21.7 feet in approximate position 45 06.001' N, 087 34.613' W. Depths of 20-23 feet were also found in the channel extending eastward from the Ogden Street Bridge. Mariners are reminded that the charted depth of the channel as shown on NOAA chart 14917 is 20.0 feet and any attempts to enter the channel at a greater draft are not prudent. Questions can be directed to MSO Milwaukee at 414-747-7155 or, after hours, 414-747-7182. [51/04]

LAKE MICHIGAN - Michigan City Harbor, IN - Shoaling - Chart 14905 and 14926

Shoaling has been reported in the mouth of trail creek, Michigan City, IN [53/04]

LAKE MICHIGAN - Holland Channel, Holland, MI - Shoaling - Chart 14906 and 14932

The Coast Guard has a report of significant shoaling inside the Holland channel. The Depth of water has been reported to be 14 to 15 feet just inside the breakwall. The Army Corps of Engineers will conduct soundings after the holidays. All vessels should transit the area with caution. [53/04]

LAKE MICHIGAN - Grays Reef Passage - closure - Chart 14911

In Accordance with 33 CFR 165.901 Captain of the Port Sault Ste Marie will Close Grays Reef Passage, Effective 1100 Local 31 DEC 2004 [01/05]

LAKE MICHIGAN - Chicago Sanitary and Ship Canal Buoy - on station - Chart 14901

20050 CHICAGO SANTARY AND SHIP CANAL BUOY "B" will remain on station throughout the winter season. [01/04]

ST. MARYS RIVER - Munuscong Lake to Sault Ste Marie - 14883,14884

The US Army Corps of Engineers have located shoaling in the vicinity of the Bayfield Dike Light. Shoals as much as 1.5 ft above the project depth of 28 ft have been observed. The shoaling area is located approximately 850 feet west of the Bayfield Dike Light, 500 feet long and 40 feet towards the channel. Mariners are advised to use caution when transiting this area. [34/04]

ST. MARYS RIVER, MI - Drummond Island - Fallen Crane - Chart 14882

The Coast Guard has reported a fallen crane located southeast of the opening to the St. Marys River at position 45°55'09.72"N, 083°49'31.74"W. All Mariners are advised to use caution while transiting the area. [49/04]

ST. MARYS RIVER - St. Marys Falls Canal, MI - Chart 14884

The MacArthur and Poe Locks will remain operational on a 24-hour basis through 15 January 2005 or until commercial traffic ceases, whichever occurs first. Operators of vessels that will be transiting the locks during the January lock operational period will keep the Engineer-in-Charge advised of their schedules. All inquiries should be addressed to CELRE-OT-T and should refer to Notice to Navigation Interests No. L04-81. Internet address: <http://www.lre.usace.army.mil> Go to: Detroit Home Page, Who We Are, Operations Home Page. [53/04]

ST. MARYS RIVER - West and Middle Neebish Channels - Chart 14883

To keep adjacent ice fields intact, mariners transiting the St. Marys River are asked to Monitor the wake and displacement of their vessels to prevent incidental icebreaking. This is especially true in the vicinity of the Ferries, West and Middle Neebish Channels. [53/04]

LAKE SUPERIOR, ST MARYS RIVER and STRAITS OF MACKINAC – Operation Taconite – Charts 14961, 14860, and 14883

Commander Coast Guard Group Sault Ste Marie has commenced Operation Taconite. To enhance the coordination of ice breaking resources COTP Sault Ste Marie directs all vessels (or their company representatives) to provide an estimated time of arrival (ETA) for down bound Whitefish Point, up bound Detour Reef LT, Eastbound Lansing Shoal LT, Westbound Round Island or the Western Superior ports and terminals, as appropriate to the particular voyage or transit. ETA reports may be made via land line (906) 635-3232, email (vts@grusaultstemarie.uscg.mil) or VHF radio to VTS St Marys River (AKA “SOO TFC”). Vessel ETA’s must be updated whenever their arrival time changes by more than six hours. Upon request, “SOO TFC” will provide the latest ice conditions and name of the icebreaker serving the respective transit area. Mariners are asked to establish VHF radio contact with the servicing icebreaker on VHF-FM channel 16 approximately one hour before reaching the appropriate service area. St. Marys river winter reporting points and winter speed limits are in effect. [01/05]

II. DISCREPANCIES IN AIDS TO NAVIGATION as of 1000 January 04 2005

This section lists all changes to discrepancies. The following abbreviations are used:

B	Buoy	BKW	Breakwater	(C)	Canadian Aid
CHL	Channel	DAM	Damaged	DAYBD	Dayboard
DBN	Daybeacon	DECOM	Decommissioned	DISCON	Discontinued
ENT	Entrance	ESTB	Established	EXT	Extinguished
F/S	Fog Signal	HBR	Harbor	IMCH	Improper Characteristic
INOP	Inoperative	JCT	Junction	LB	Lighted Buoy
LBB	Lighted Bell Buoy	LGB	Lighted Gong Buoy	LHB	Lighted Horn Buoy
LIB	Lighted Ice Buoy	LT	Light	LWP	Left Watching Properly
OBST	Obstruction	OFFSTA	Off Station	MSLDG	Misleading
(P)	Private Aid	PARSUB	Partially Submerged	PAROBSC	Partially Obscured
PHD	Pierhead	RBN	Radiobeacon	RAC	Racon
DIM	Reduced Intensity	RELDRG	Relocated for dredging	RELSHL	Relocated for Shoaling
RELCON	Relocated for Construction	RF	Range Front	RPTD	Reported
RR	Range Rear	(SLS)	St. Lawrence Seaway Devel Corp	SND CONT	Sounding Continuously
TRUB	Temporarily Replaced With A B	TRLB	Temporarily Replaced With A LB	TRLT	Temporarily Replaced With A Light
W/M	Winter Mark				

A. RECENT DISCREPANCIES

LLNR	Name of aid	Status	Charts Affected	BNM Ref.	LNM Ref.
2075	OSWEGO HBR E BRKWTR LT	DAM	14813	B165-04	52/04
3450	DUNKIRK HBR B 9	OFFSTA	14823	B089-04	15/04
4120	E BASIN CH RED N B 8	PARSUB	14839	D237-04	53/04
6050	MAUMEE BAY ENT LT 2	LT EXT	14847	D233-04	50/04
6145	MAUMEE BAY B 19	OFFSTA	14847	D239-04	53/04
8420	LK ST CLAIR LB 2	PARSUB	14850	D244-04	54/04
8475	LK ST CLAIR LB 13	LT EXT	14850	D236-04	52/04
8525	LK ST CLAIR LT	LT EXT	14850	D251-04	01/05
11870	CHEBOYGAN RVR DBN 18	MISSING	14886	S217-04	51/04
13070	MUNUSCONG CH LIB 9	OFFSTA	14883	S233-04	01/05
13340	MID NEEBISH CH LB 58	IMCH	14883	S003-05	01/05
20805	GENERATING STA S INT CRIB LT 6 (P)	LT EXT	14903	M316-04	53/04

B. DISCREPANCIES CORRECTED

LLNR	Name of aid	Status	Charts Affected	BNM Ref.	LNM Ref.
12205	MARTIN REEF LT	LT EXT	14881	S231-04	54/04
12580	ROUND ISLAND PASSAGE LT	LT EXT	14881	S230-04	54/04
18720	MUSKEGON N BRKWTR LT	LT DIM	14934	G132-04	54/04

III. TEMPORARY CHANGES IN AIDS TO NAVIGATION as of 1000 January 04, 2005**A. TEMPORARY CHANGES**

LLNR	Name of aid	Status	Charts Affected	BNM Ref.	LNM Ref.
4350	LORAIN HBR LT 6	TEMP RELCON	14841		35/03
6450	LUNA PIER MARINA BKW LT 1 (P)	TEMP DISCON	14846	D224-01	23/01
6455	LUNA PIER MARINA BKW LT 2 (P)	TEMP DISCON	14846	D224-01	23/01
14540	LITTLE LAKE HBR LT 2	TEMP DISCON	14962	S046-03	06/03
19002	GRAND RIVER B 3B	TEMP ESTB	14933		26/04
21591	LITTLE FISHDAM RIVER ACCESS LT (P)	TEMP DISCON	14908	M050-01	09/02

B. RECENT TEMPORARY CHANGES CORRECTIONS

LLNR	Name of aid	Status	Charts Affected	BNM Ref.	LNM Ref.
21305	PLUM ISL FR LT	TEMP LT DIM/CHAR CHNG TO Q FL	14909	M231-04	33/04
21310	PLUM ISL RR LT	TEMP LT DIM/CHAR CHNG FL 4s	14909	M230-04	33/04

IV. CHART CORRECTIONS

Corrective action affecting charts is contained in this section. Chart corrections are listed numerically by chart number. The correction listed pertains to that chart only. It is up to the mariner to decide what charts are to be corrected. The following example explains the individual elements of a typical correction.

Chart number	Chart edition	Edition date	Last Local Notice to Mariners	Reference datum	Source Agency of .correction	Current Notice to Mariners
14922	17th ed. MANITOWOC AND SHEBOYGAN HARBORS Change	4/25/92	Last LNM 12/93	NAD 83	(CGD9)	17/93
	Corrective action	Object of corrective action				Position
		Manitowoc South Breakwater Light to "3" Fl G 2.5s, 37ft 8 StM			44-05-29.00N	087-38-37.00W
The letter (M) immediately following the chart number indicates that the correction should be applied to the metric side of the chart only. (Temp) indicates that the chart correction action is temporary in nature. Courses and bearings are given in degrees clockwise from 000° true. Bearings of light sectors are toward the light from lakeward.						
14881	32st ed. DETOUR PASSAGE TO WAUGOSHANCE POINT (LORAN C) Cheboygan Harbor Michigan Change	32 nd Ed. Oct 2004	Last LNM 47/04	NAD 83	(NOS NW-10104)	01/05
	depth legend to: 17 FEET SEP 2004 centered at				45-38-55.30N	084-28-16.30W
	depth legend to: 18 FEET SEP 2004 centered at			45-39-04.90N	084-28-04.30W	
	depth legend to: 21 FEET FOR MID-WIDTH OF 100 FT SEP 2004 centered at				45-39-32.00N	084-27-44.20W
	Delete	17 ft sounding at			45-39-04.40N	084-28-01.40W
14886	12th ed. (SC) MICHIGAN INLAND ROUTE, CHEYBOGAN TO CONWAY (Page 2) Change	Jun 2003	Last LNM 30/03	NAD 83	(NOS NW-10104)	01/05
	depth legend to: 17 FEET SEP 2004 centered at				45-38-55.30N	084-28-16.30W
	depth legend to: 18 FEET SEP 2004 centered at			45-39-04.90N	084-28-04.30W	
	depth legend to: 21 FEET FOR MID-WIDTH OF 100 FT SEP 2004 centered at				45-39-32.00N	084-27-44.20W
	Delete	17 ft sounding at			45-39-04.40N	084-28-01.40W
	6 ft sounding at				45-39-08.10N	084-28-07.50W
14966	26th ed. LITTLE GIRLS POINT TO SILVER BAY (LORAN C) Cornucopia Wisconsin Add	May 2003	Last LNM 43/04	NAD 83	(NOS NW-10086)	01/05
	3 ft sounding at				46-51-34.40N	091-06-16.30W
	Change	depth legend to: 6 FT OCT 2004 at			46-51-28.20N	091-06-10.40W
	depth legend to: 6 FT OCT 2004 at				46-51-30.50N	091-06-05.10W
	depth legend to: 5 FT OCT 2004 at				46-51-32.80N	091-06-11.70W

V. ADVANCE NOTICE OF CHANGES TO AIDS TO NAVIGATION

Upper Niagara River – Grand Isle Range Lights – Charts 14822 and 14832

The Coast Guard will be changing the Grand Island Range Lights LLNR's 3075 and 3080 to a Precision Direction Light. The change will involve disestablishing Grand Island Rear Range Light LLNR 3080, installing a Green/White/Red Sector light on Grand Island Front Range Light LLNR 3075 and renaming the Light; Grand Island Precision Sector Light. The white sector will indicate the center of the channel and the colored sectors will correspond to the red and green sides of the channel. [31/03]

Lake Erie – Upper Niagara River – Chart 14832

The following buoy has been replaced with unlighted buoy from 07 December to May 07:

Strawberry Island Cut Lighted Buoy 1 (LLNR 2985)

The following buoys have been changed from seasonal to annual and will remain on station all year:

Strawberry Island Cut buoy 14 (LLNR 3090)

Strawberry Island Cut buoy 18 (LLNR3110)

Tonowanda Channel buoy 21 (LLNR 3140) [53/04]

VI. PROPOSED CHANGES IN AIDS TO NAVIGATION

Lake Erie – South Shore of Lake Erie – Chart 14842

The Coast Guard is proposing to...

Disestablish	Sandusky Bay Channel Buoy 1 (LLNR 5035)
	Sandusky Bay Channel Buoy 5 (LLNR 5050)
	Sandusky Bay Channel Buoy 6 (LLNR 5055)
	Sandusky Bay Channel Buoy 7 (LLNR 5060)
	Muddy Creek Buoy 10 (LLNR 5075)
	Muddy Creek Buoy 11 (LLNR 5080)
	Sandusky Bay Channel Buoy 16 (LLNR 5097)
	Sandusky Bay Channel Buoy 19 (LLNR 5105)
	Sandusky Bay Channel Buoy 22 (LLNR 5111)
	Sandusky Bay Channel Buoy 25 (LLNR 5125)
Change	Sandusky Bay Channel Buoy 3 (LLNR 5040) to Muddy Creek Bay Buoy 1 (LLNR 5035)
	Sandusky Bay Channel Buoy 4 (LLNR 5045) to Muddy Creek Bay Buoy 2 (LLNR 5040)
Rename	Muddy Creek Buoy 8 (LLNR 5065) to Muddy Creek Bay Buoy 6 (LLNR 5060)
	Muddy Creek Buoy 9 (LLNR 5070) to Muddy Creek Bay Buoy 9 (LLNR 5075) [45/04]

Lake Huron – Harbor Beach – Chart 14860

Change the following buoys from private to federal Aids to Navigation and maintained from Apr 1 to Dec 1.

Harbor Beach Marina buoy 1 (LLNR 10195) will be lighted with Fl G 4s

Harbor Beach Marina buoy 3 (LLNR 10200) will remain unlighted [53/04]

Lake Huron – Considered Disestablishment – Chart 14864

The Coast Guard is considering disestablishment of Sturgeon Point Light (LLNR 11345). The Lighthouse and associated building will be transferred under the National Historic Lighthouse Preservation Act. [37/04]

Lake Huron - Harbor Beach Light, On-Demand Fog Signal - Chart 14862

The Coast Guard is proposing to solarize and install an on-demand fog signal system in Harbor Beach Light (LLNR 10130). Energize the fog signal by keying VHF microphone on channel 79 five times. The changes would occur in May 2005. [45/04]

Lake Michigan – Muskegon Lake – Chart 14934

MUSKEGON S BKW LIGHT (LLNR 18705) reduce light range from 7 to 5 miles. Energize the fog signal by keying VHF microphone on channel 79 five times. The changes would occur in May 2005. [49/04]

Lake Superior – Keweenaw Waterway – Chart 14972

Change the following buoy from unlighted to lighted Fl G 4s 3 mile range:

Keweenaw Waterway buoy 51 (LLNR 15030) [53/04]

For any comments or questions on these proposed changes please contact BMCS Sharp of the Ninth District Aids to Navigation office at (216) 902-6067.

VII. GENERAL NOTICES

LAKE ERIE – Erie Harbor – Waterways Analysis and Management System Study – Chart 14835

The Coast Guard is conducting a Waterways Analysis and Management System (WAMS) study of the Erie Harbor Waterway. The study focuses on the area's aids to navigation system, waterborne commerce, marine casualty information, port/harbor resources, emergency response plans, routine and emergency communication capabilities, and future development projects. Any company or individual wishing to provide comments or participate in a user survey should contact:

Commanding Officer

USCGC Hollyhock (WLB-214)

P. O. Box 610786

Foot of Lincoln Ave.

Port Huron, MI 48061-0786

Phone: (810) 982-2684 [37/04]

DETROIT RIVER – East and West Channel – Waterways Analysis and Management System Study – Chart 14848

The Coast Guard is conducting a Waterways Analysis and Management System (WAMS) study of the Detroit River East and West Channel Waterways. The study focuses on the area's aids to navigation system, waterborne commerce, marine casualty information, port/harbor resources, emergency response plans, routine and emergency communication capabilities, and future development projects. Any company or individual wishing to provide comments or participate in a user survey should contact:

Commander

USCGC Bristol Bay (WTGB 102)

110 Mt. Elliot Ave.

Detroit, MI 48204-4380

ATTN: LTJG Jim Hiltz

Phone: (313) 568-9548 [37/04]

LAKE HURON – Alpena Harbor – Waterways Analysis and Management System Study – Chart 14864

The Coast Guard is conducting a Waterways Analysis and Management System (WAMS) study of the Alpena Harbor Waterway. The study focuses on the area's aids to navigation system, waterborne commerce, marine casualty information, port/harbor resources, emergency response plans, routine and emergency communication capabilities, and future development projects. Any company or individual wishing to provide comments or participate in a user survey should contact:

Commanding Officer

USCGC Acacia (WLB-406)

109 Bridge Park Drive

Charlevoix, MI 49720-9999

Phone: (231) 547-4447 [37/04]

LAKE MICHIGAN – Calumet, Indiana, and Chicago Harbor – Waterways Analysis and Management System Study – Chart 14928 and 14929

The Coast Guard is conducting a Waterways Analysis and Management System (WAMS) study of the Calumet, Indiana and Chicago Harbor Waterways. The study focuses on the area's aids to navigation system, waterborne commerce, marine casualty information, port/harbor resources, emergency response plans, routine and emergency communication capabilities, and future development projects. Any company or individual wishing to provide comments or participate in a user survey should contact:

Commander

U. S. Coast Guard Group

2420 South Lincoln Memorial Dr.

Milwaukee, WI 53207-1997

ATTN: ATON Officer

Phone: (414) 747-7188 [37/04]

LAKE MICHIGAN - IL - Calumet Harbor, Scheduled Repairs, Chart 14929

Structural repairs have been scheduled for the 95th Street Bridge at Mile 1.09 over the Calumet River Monday through Friday, between the hours of 0730 and 1500 from January 3 until January 24, 2005. During these hours, the bridge will open for passing vessels if at least one-hour advance notice is provided. [01/05]

LAKE MICHIGAN - WI - Sturgeon Bay, Winter Bridge Operating Schedule, Chart 14919

The Bayview Bridge, Mile 3.0 over the Sturgeon Bay Ship Canal, will open for vessels if at least 12-hour advance notice is provided between 2300 December 31, 2004 and 0700 March 15, 2005. To provide advance notice, mariners should contact the Bayview Bridge Office at (920) 743-8141, the Bayview Bridge Chief Bridgetender at (920) 743-5716, or the Michigan Street Chief Bridgetender at (920) 743-5772. [01/05]

SUMMARY OF DREDGING/CONSTRUCTION OPERATIONS IN EFFECT

The LNM column is where the entry originally appeared and where detailed information may be obtained. The dates listed for completions are tentative.

Location	LNM	Subject	Hours / Days	Until
<u>LAKE ONTARIO</u>				
Rochester, NY	41/03,25/04	BRIDGE CONSTRUCTION	0700-1630/ MON - FRI	2004 NAV SEASON
Irondequoit Bay, NY	45/04	BRIDGE CLOSURE	VARIOUS	31 MAR 05
<u>LAKE ERIE</u>				
Buffalo Harbor, NY	41/03	BRIDGE MAINTENANCE	24 HRS/ 7 DAYS A WK	2004 NAV SEASON
Toledo, OH	41/03	BRIDGE CONSTRUCTION	24 HRS/ 7 DAYS A WK	2004 NAV SEASON
Cleveland, OH	34/04	DREDGING	VARIOUS	03 JUN 07
Erie Harbor, PA	37/04	WAMS ANALYSIS	VARIOUS	TBD
Black Rock Lock, NY	39/04	DREDGING	VARIOUS	TBD
Toledo, OH	43/04	BASCULE REPLACEMENT	VARIOUS	07 MAR 05
Maumee River, OH	43/04,45/04	BRIDGE CLOSURE	VARIOUS	07 MAR 05
Buffalo Harbor, NY	28,35,47/04	BRIDGE MAINTENANCE	VARIOUS	31 JUL 05
Maumee River, OH	48/04	BRIDGE CLOSURE FOR REHABILITATION	VARIOUS	07 MAR 05
Ashtabula Harbor, OH	49/04	WINTER BRIDGE OPERATING SCHEDULE	VARIOUS	01 APR 05
Maumee River, OH	49/04	BRIDGE CLOSURE FOR REHABILITATION	VARIOUS	07 FEB 05
Cuyahoga River, OH	52/04	SCHEDULED BRIDGE MAINTENANCE	VARIOUS	13 FEB 05
Cleveland Harbor, OH	53/04	WINTER BRIDGE OPERATING SCHEDULE	VARIOUS	14 MAR 05
<u>DETROIT RIVER</u>				
Fleming Channel, MI	25/04	BARGE OPERATIONS	24 HRS/ 7 DAYS A WK	TBD
East and West Channel	37/04	WAMS ANALYSIS	VARIOUS	TBD
<u>ST CLAIR RIVER</u>				
Pine River, MI	44/04,45/04	SUBMARINE CABLE REPLACEMENT	0700-1700/MON-SAT	15 MAR 05
<u>LAKE HURON</u>				
Alpena Harbor, MI	37/04	WAMS ANALYSIS	VARIOUS	TBD
<u>LAKE MICHIGAN</u>				
Manistee Harbor, MI	35/04	BRIDGE MAINTENANCE AND CLOSURE	24 HRS/ 7 DAYS A WK	30 APR 05
St. Joseph River, MI	43/04	REHABILITATION UPGRADES	VARIOUS	15 MAR 06
Indiana Harbor, IN	28/04	REPORTED OBSTRUCTION	24 HRS/ 7 DAYS A WK	TBD
Milwaukee Harbor, WI	43/04	WINTER BRIDGE OPERATING SCHEDULE	VARIOUS	01 APR 05
Milwaukee Harbor, WI	41/03	BRIDGE DEMOLITION AND CONSTRUCTION	0600-0800/ MON – FRI	2004 NAV SEASON
Green Bay Harbor, WI	47/04	WINTER BRIDGE OPERATING SCHEDULE	VARIOUS	01 APR 05
Green Bay Harbor, WI	49/04	WINTER BRIDGE OPERATING SCHEDULE	VARIOUS	01 APR 05
Chicago Harbor, IL	50/04	BRIDGE CLOSURES SCHEDULED MAINTENANCE	VARIOUS	31 MAR 05
Chicago Harbor, IL	22/04,51/04	BRIDGE MAINTENANCE	0700-1630/ MON – FRI	15 MAR 05
St. Joseph River, MI	52/04	WINTER OPERATING SCHEDULE	VARIOUS	28 FEB 05
Calumet Harbor, IL	01/05	SCHEDULED REPAIRS	0730-1500/ MON – FRI	24 JAN 05
Sturgeon Bay, WI	01/05	WINTER BRIDGE OPERATING SCHEDULE	VARIOUS	15 MAR 05
<u>ST. MARY'S RIVER</u>				
Sault Ste Marie Locks, MN	,51/04	BRIDGE CLOSURE FOR WINTER SEASON	24 HRS/ 7 DAYS A WK	Spring 2005
<u>LAKE SUPERIOR</u>				
Straits of Mackinac	21/04	BRIDGE MAINTENANCE - PAINTING	VARIOUS	DEC 06

VIII. LIGHT LIST CORRECTIONS, VOL VII, GREAT LAKES

(* Denotes the column in which a correction has been made or new information added.)

(1) No.	(2) Name and location	(3) Position	(4) Characteristic	(5) Height	(6) Range	(7) Structure	(8) Remarks
4070	- East Basin Channel Buoy 4					Red nun	
							*
							01/05

IX. ENCLOSURES

- 1.) Safety Zone; Chicago River Main Branch, Chicago, IL

R. J. PAPP, JR
Rear Admiral, U. S. Coast Guard
Commander, Ninth Coast Guard District

DEPARTMENT OF HOMELAND SECURITY
Coast Guard
33 CFR Part 165
[CGD09-04-149]
RIN 1625-AA00
Safety Zone; Chicago River Main Branch, Chicago, IL
AGENCY: Coast Guard, DHS.
ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for the demolition of the Chicago Sun-Times Building. This safety zone is necessary to protect vessels and persons from potential falling debris during the demolition phase of the Chicago Sun-Times Building along the Chicago River Main Branch. The safety zone is intended to restrict vessels from a portion of the Chicago River Main Branch, Chicago, Illinois.

DATES: This rule is effective from December 20, 2004 through March 19, 2005.

ADDRESSES: Documents indicated in this preamble as being available in the docket, are part of docket [CGD09-04-149] and are available for inspection or copying at Marine Safety Office Chicago, 215 W. 83rd Street, Suite D, Burr Ridge, Illinois 60527, between 7:30 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: LTJG Cameron Land, U.S. Coast Guard Marine Safety Office Chicago, at (630) 986-2155.

SUPPLEMENTARY INFORMATION:

Regulatory Information

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing an NPRM. Notification of this event and the permit application was not received in time to publish an NPRM followed by a final rule before the effective date. Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the Federal Register. Delaying this rule would be contrary to the public interest of ensuring the safety of persons and vessels during this event and immediate action is necessary to prevent possible loss of life or property. During the enforcement of this safety zone, comments will be accepted and reviewed and may result in a modification to the rule.

Background and Purpose

This temporary safety zone is necessary to ensure the safety of vessels and persons during the planned demolition of the Chicago Sun-Times Building. During the demolition phase, it is possible for falling debris to fall into the Chicago River. The Captain of the Port Chicago has determined that demolition in close proximity of the waterway may pose a significant risk and hazard to persons and vessels. Establishing a safety zone to control vessel movement around the location of the Chicago Sun-Times Building will help ensure the safety and reduce the risks of persons and vessels during the demolition phase.

Discussion of Rule

The safety zone will be established on the north side of the Chicago River Main Branch, from the east side of the Wabash Ave Bridge at position 41[deg]53.296' N and 087[deg]37.611' W extending 515 feet along the shoreline to the east side of the Chicago Sun-Times Building, at position 41[deg]53.347' N and 087[deg]37.539' W extending 40 feet perpendicular to the shoreline to position 41[deg]53.342' N and 087[deg]37.534' W extending parallel to the shoreline to position 41[deg]53.290' N and 087[deg]37.607' W then back to the point of origin.

All persons shall comply with the instructions of the Coast Guard Captain of the Port or the designated on scene representative. Entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Chicago, or his designated on scene representative.

Regulatory Information

This rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. It is not "significant" under the regulatory policies and procedures of the Department of Homeland Security (DHS).

We expect the economic impact of this rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary.

This determination is based on the consideration that the zone is an area where the Coast Guard expects insignificant adverse impact to mariners from the zones' activation.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we have considered whether this rule would have a significant impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

This rule will affect the following entities: the owners or operators of vessels intending to transit or anchor in a portion of the Chicago River Main Branch from December 20, 2004 through March 19, 2005. This regulation will not have a significant economic impact for the following reasons. The reduction in width of the navigation channel by 40 feet will still allow commercial and recreation vessels to transit around the area. The designated area is being established to allow barges to be moored against the seawall to catch falling debris and to protect persons and vessels utilizing the waterway. The Coast Guard will give notice to the public via a Broadcast to Mariners that the regulation is in effect.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104-121), we offered to assist small entities in understanding the rule so that they could better evaluate its effects on them and participate in the rulemaking process. Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1-888-REG-FAIR (1-888-734-3247).

Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520).

Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 or more in any one year. Though this rule does not result in such expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This rule will not affect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. It has not been designated by the Administrator of the Office of Information and Regulatory Affairs as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedure; and related management system practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

Environment

We have analyzed this rule under Commandant Instruction M16475.1D, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA)(42 U.S.C. 4321-4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the instruction. Therefore, this rule is categorically excluded, under figure 2-1, paragraph (34)(g) of the Commandant Instruction M16475.1D from further environmental documentation.

An "Environmental Analysis checklist" and "Categorical Exclusion Determination" are required under the Instruction and the results of these determinations will be provided in the docket where indicated under ADDRESSES. This action is not expected to result in any significant adverse environmental impact as described in the National Environmental Protection Act.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.
For the reasons set out in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165--REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1226, 1231; 46 U.S.C. Chapter 701; 50 U.S.C. 191, 195; 33 CFR 1.05-1(g), 6.04-1, 6.04-6, and 160.5; Pub. L. 107-295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

2. A new temporary Sec. 165.T09-149 is added to read as follows:

Sec. 165.T09-149 Safety Zone; Chicago River Main Branch, Chicago, IL.

(a) Location. The safety zone will be established on the north side of the Chicago River Main Branch, from the east side of the Wabash Ave Bridge at position 41[deg]53.296' N and 087[deg]37.611' W extending 515 feet along the shoreline to the east side of the Chicago Sun-Times Building, at position 41[deg]53.347' N and 087[deg]37.539' W extending 40 feet perpendicular to the shoreline to position 41[deg]53.342' N and 087[deg]37.534' W extending parallel to the shoreline to position 41[deg]53.290' N and 087[deg]37.607' W then back to the point of origin.

(b) Effective period. This regulation is effective from December 20, 2004 through March 19, 2005.

(c) Regulations. In accordance with the general regulations in 165.23 of this part, entry into this zone is prohibited unless authorized by the Coast Guard Captain of the Port, Chicago, or the designated on scene representative.

Dated: December 20, 2004.

T. W. Carter,

Captain, U.S. Coast Guard, Captain of the Port Chicago.

[FR Doc. 04-28550 Filed 12-29-04; 8:45 am]

BILLING CODE 4910-15-P